

REMARKS

In the Office Action¹, the Examiner:

- (1) required the filing of an Information Disclosure Statement and a PTO/SB/08A form to cite the references in the December 21, 2004 Search Report issued by the Japanese Patent Office and in the Specification filed on April 25, 2005;
- (2) objected to the title of the application;
- (3) rejected claims 1-25 under 35 U.S.C. § 112, second paragraph as being indefinite;
- (4) rejected claims 1-3, 16, 18, and 23 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Application Publication No. 2002/0166952 to Tanaka et al. ("Tanaka");
- (5) rejected claims 4, 5, and 17 under 35 U.S.C. § 103(a) as being unpatentable over Tanaka in view of U.S. Patent No. 5,420,952 to Katsura et al ("Katsura");
- (6) indicated that claims 6-15, 19-22, 24, and 25 each contained allowable subject matter.

Applicant thanks the Examiner for pointing out the allowable subject matter recited in claims 6-15, 19-22, 24, and 25. By this Amendment, Applicant has canceled claims 1-5, 16-18, and 23 without prejudice or disclaimer to the subject matter, and amended claims 6-15, 19-22, 24, and 25. Upon entry of this Amendment, claims 6-15, 19-22, 24, and 25 remain pending and under current examination. By the following Remarks, Applicant respectfully traverses the above rejections and respectfully requests reconsideration.

¹ The Office Action contains statements characterizing the related art and the claims. Regardless of whether any such statements are specifically identified herein, Applicant declines to automatically subscribe to any statements in the Office Action.

Information Disclosure Statement

The Examiner indicated that the references cited in the International Search Report were considered, but must be provided on a separate list in compliance with 37 C.F.R. 1.98(a)(1) in order to be printed on resulting patent. (Office Action at p. 2.) The Examiner required the Applicant to re-file the cited references on a PTO/SB/08A form.

Applicant hereby files an Information Disclosure Statement ("IDS") and IDS Form PTO/SB/08 disclosing all documents listed in the December 21, 2004 International Search Report and in the specification as filed on April 25, 2005, concurrently with this Amendment. Applicant therefore respectfully requests that the Examiner withdraw this objection.

Objection of the Title

The Examiner objected to the title of the application as being "not descriptive." (Office Action at p. 2.) Although Applicant respectfully disagrees, in an effort to advance prosecution, Applicant has amended the title to more clearly indicate the invention to which the claims are directed. Accordingly, Applicant respectfully requests withdrawal of the objection to the title.

Rejection of Claims 1-25 under 35 U.S.C. § 112, Second Paragraph

Applicant requests reconsideration and withdrawal of the rejection of claims 1-25 under 35 U.S.C. § 112, second paragraph. Without conceding to the Examiner's allegations, Applicant has amended the claims as presented herein. The claims therefore fully comply with the provisions of 35 U.S.C. § 112, second paragraph.

**Rejection of Claims 1-3, 16, 18, and 23 Under 35 U.S.C. § 102(b) and
Rejection of Claims 4, 5, and 17 Under 35 U.S.C. § 103(a)**

Applicant respectfully traverses the rejection of claims 1-3, 16, 18, and 23 under 35 U.S.C. § 102(b) as being anticipated by Tanaka and rejection of claims 4, 5, and 17 under 35 U.S.C. § 103(a) as being unpatentable over Tanaka, in view of Katsura. (Office Action at p.4-6.) In view of the cancellation of claims 1-5, 16-18, and 23, both rejections are now moot. Accordingly, Applicant respectfully requests the withdrawal of the 102(b) rejection of claims 1-3, 16, 18, and 23 and 103(a) rejection of claims 4, 5, and 17.

Claims 6-15, 19-22, 24, and 25

The Examiner indicated that claims 6-15, 19-22, 24, and 25 each contained allowable subject matter, and would be allowable if rewritten to "include all of the limitations of the base claim and any intervening claims." (Office Action at p.7.) By this Amendment, Applicant has rewritten claims 6-15, 19-22, 24, and 25 by incorporating all the limitations of their respective base claim and intervening claim(s). Applicant respectfully submits that claims 6-15, 19-22, 24, and 25 are in condition for allowance. Accordingly, Applicant respectfully requests that the Examiner allow the pending claims.

Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully requests entry of this Amendment, reconsideration of the application, and timely allowance of pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 26, 2008

By: /David W. Hill/
David W. Hill
Reg. No. 28,220